

NOT FOR CITATION
 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRYAN DAVIS,

Plaintiff,

vs.

M. S. EVANS, et al.,

Defendants.

No. C 09-00717 JF (PR)
 No. C 09-00732 JF (PR)

ORDER OF INSTRUCTIONS TO
 CLERK; DISMISSING SECOND
 CASE AS DUPLICATIVE

Plaintiff filed a complaint in pro se pursuant to 42 U.S.C. § 1983, which was transferred to this Court on February 27, 2009 from the Eastern District. (See Docket No. 7.) It appears through no fault of Plaintiff that this action was opened in this Court under two case numbers: C 09-00717 JF (PR) and C 09-00732 JF (PR). Plaintiff filed a completed in forma pauperis application under the second case number - C 09-00732 JF (PR) - but no application was filed in the first case. In the interest of justice and expedience, the Clerk of the Court shall file a copy of the in forma pauperis application from Case No. C 09-00732 JF(PR), (Docket No. 12), under Case No. C 09-00717 JF (PR). Plaintiff shall file all future pleadings in this § 1983 action under Case No. C 09-00717 JF (PR).

1 The Clerk shall administratively close Case No. C 09-00732 JF (PR) as
2 duplicative. A copy of this order shall be filed in both cases.

3 IT IS SO ORDERED.

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5 DATED: 6/18/09

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7 JEREMY FOGEL
8 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BRYAN DAVIS,
Plaintiff,

Case Number: CV09-00717 JF
Cv09-00732 JF

v.

CERTIFICATE OF SERVICE

M. S. EVANS, et al.,
Defendants.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 6/19/09, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Bryan Davis P 62597
SALINAS VALLEY STATE PRISON (1020)
P.O. BOX 1020
SOLEDAD, CA 93960-1020

Dated: 6/19/09

Richard W. Wieking, Clerk